S T A T E O F N E W Y O R K

S. 3309 A. 4118

2013-2014 Regular Sessions

S E N A T E - A S S E M B L Y

January 31, 2013

IN SENATE -- Introduced by Sens. LAVALLE, LARKIN, MARTINS, MAZIARZ, YOUNG, ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to prohibiting certain persons convicted under article six-C of the correction law from serving as a trustee, principal, officer, or member of a board of education of any public school in any BOCES, city, union free, common or central school district or any charter school

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 168-w of the correction law, as relettered by chapter 604 of the laws of 2005, is relettered section 168-x and a new section 168-w is added to read as follows:

S 168-W. PROHIBITION OF SERVING AS A TRUSTEE, PRINCIPAL, OFFICER, OR MEMBER OF A BOARD OF EDUCATION OF ANY PUBLIC SCHOOL IN ANY BOCES, CITY, UNION FREE, COMMON OR CENTRAL SCHOOL DISTRICT OR ANY CHARTER SCHOOL. NO PERSON REQUIRED TO MAINTAIN REGISTRATION UNDER THIS ARTICLE (SEX OFFENDER REGISTRATION ACT) SHALL BE A TRUSTEE, PRINCIPAL, OFFICER, OR MEMBER OF A BOARD OF EDUCATION OF ANY PUBLIC SCHOOL IN ANY BOCES, CITY, UNION FREE, COMMON OR CENTRAL SCHOOL DISTRICT OR ANY CHARTER SCHOOL.

S 2. Section 168-t of the correction law, as amended by chapter 373 of the laws of 2007, is amended to read as follows:

S 168-t. Penalty. Any sex offender required to register or to verify pursuant to the provisions of this article who fails to register or verify in the manner and within the time periods provided for in this article shall be guilty of a class E felony upon conviction for the first offense, and upon conviction for a second or subsequent offense shall be guilty of a class D felony. Any sex offender who violates the

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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provisions of section one hundred sixty-eight-v OR ONE HUNDRED SIXTY-EIGHT-W of this article shall be guilty of a class A misdemeanor upon conviction for the first offense, and upon conviction for a second or subsequent offense shall be guilty of a class D felony. Any such failure to register or verify may also be the basis for revocation of parole pursuant to section two hundred fifty-nine-i of the executive law or the basis for revocation of probation pursuant to article four hundred ten of the criminal procedure law.

S 3. This act shall take effect immediately.